




Marc Barreca
U.S. Bankruptcy Judge
(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

In re:

HWC BURBS BURGERS, LLC,

Debtor.

Case No. 23-11919-MLB

ORDER CONVERTING CHAPTER 11 CASE
and DENYING CONFIRMATION

THESE MATTERS came before the Court upon the United States Trustee's Motion to Convert or Dismiss the Debtor's Chapter 11 Case (the "Motion") and for the Confirmation of Debtor's chapter 11, subchapter V plan, dated January 8, 2024 (the "Plan"). Appearances were as set forth on the record. The Court has reviewed and considered the Motion; the Plan; any and all evidence submitted in support of, and in opposition to, the Motion and Plan; the records and files herein; and the oral argument of counsel, if any.

The Court finds that:

1. Notice of the Motion was timely and adequate;
2. Cause exists, pursuant to § 1112(b), to convert or dismiss this case;
3. Conversion is in the best interest of creditors and the estate; and
4. Confirmation of Debtor's chapter 11, subchapter V, plan, dated January 8, 2024, should be denied;

ORDER

Office of the United States Trustee
700 Stewart Street, Suite 5103
Seattle, WA 98101-1271
206-553-2000, 206-553-2566 (fax)

1 In addition to the foregoing, any and all additional findings of fact and conclusions of
2 law orally set forth on the record at the time of the hearing on the Motion and Confirmation of
3 the Plan are adopted and incorporated herein pursuant to Fed.R.Civ.P. 52(a) and Fed.R.Bank.P.
4 7052.

5 Based upon the foregoing, IT IS HEREBY ORDERED THAT:

6 A. This chapter 11 case is converted to a case under chapter 7 of the Bankruptcy
7 Code;

8 B. Confirmation of the chapter 11, subchapter V, plan, dated January 8, 2024, is
9 denied;

10 C. The Debtor shall do the following:

11 1. Immediately turn over to the chapter 7 trustee all records and property of the
12 estate under the Debtor's custody and control as required by Bankruptcy Rule 1019(4);

13 2. Within 30 days of the date of this Order, file an accounting of all receipts and
14 disbursements made, together with a schedule of all unpaid debts incurred after the
15 commencement of the chapter 11 case, as required by Bankruptcy Rule 1019(5); and

16 3. Within 15 days of the date of this Order, file the statements and schedules
17 required by Bankruptcy Rule 1019(1)(A) and 1007(b), if such documents have not
18 already been filed.

19 D. The Clerk of the Court shall forthwith provide notice of the conversion of this
20 case to the Debtor, all creditors, and other parties in interest.

21 ///END OF ORDER///

22 Presented by:

23 GREGORY M. GARVIN
24 Acting United States Trustee for Region 18

25 /s/ Matthew J.P. Johnson
26 Matthew J.P. Johnson, WSBA #40476
Attorney for United States Trustee

ORDER

Office of the United States Trustee
700 Stewart Street, Suite 5103
Seattle, WA 98101-1271
206-553-2000, 206-553-2566 (fax)